

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

MINES & MINERALS – 1st Renewal of Mining Lease for Barytes over an extent of 1.51 ½ Acres in Sy.No.64/1 (P.No.8) of Mangampeta Village, Obulavaripalli Mandal, Kadapa District for a further period of 20 years w.e.f. 25-7-1993 infavour of Sri S.A.Rajak – Sanctioned – Orders – Issued.

INDUSTRIES AND COMMERCE (M.III) DEPARTMENT

G.O.Ms.No. 261

Dated:25-09-2008.

Read the following:

1. G.O.Ms.No.614, Ind.&Com.Dept., Dt.18-07-1973.
2. G.O.Ms.No.443, Ind.&Com.(M.III).Dept.,dt.07-10-1988.
3. G.O.Ms.No.27, Ind.&com.(M.III).Dept.,dt.27-01-1974.
4. Govt.Memo.No.9396/M.III(2)/2002-3, Dt.24-09-2002.
5. From the Director of Mines & Geology, Hyderabad File No.4595/R5(2)/2003, Dt.02-05-2008.

ORDER :

In the reference 1st read above, Government have granted a Mining Lease in favour of Sri S.A.Sattar for Baryties over an extent of 2.80 Acres in Sy.No.64/1 (P.No.8 and 9) of Mangampeta Village, Obulavaripalli Mandal, Kadapa District for a period of 20 years and the same was executed on 25-7-1973 and in force up to 24-7-1993. After expiry of Sri S.A.Stattar, Government have recognized the legal heirs vide reference 2nd read above as detailed below:-

Sl.No.	Name of the Legal Heir	Location	Extent
01	Sri S.A.Razak	64/1 (P.No.8) of Mangampeta(V)	1.51 ½ Acres
02	Smt.Sabirunnisa	64/1(P.No.8 & 9) of Mangampeta(V)	1.28 ½ Acres
		TOTAL:	2.80 Acres.

2. Sri S.A.Razak has applied for 1st Renewal of the Mining Lease for Baryties over an extent of 1.51 ½ Acres in P.No.8(S.No.64/1) of Mangampeta Village, Obulavaripalli Mandal, Kadapa District for a further period of 20 years. The said application was received on 18-7-1992 i.e., within the stipulated time as per Section 24-A(1) of M.C.Rules,1960. Further, Sri S.Sankar Reddy of M/s.Indian Barytes and Chemicals Limited has been appointed as a Power of Attorney to do all acts, deeds and things to conduct mining operations on his behalf. However, the Director of Mines & Geology, Hyderabad in the year of 2002 has proposed for Rejection of the Renewal of ML application of Sri S.A.Razak on the grounds that the area has been reserved for Public Sector i.e., M/s.A.P.M.D.C.Ltd., vide reference 3rd read above. Accordingly, Government vide reference 4th read above have rejected the Renewal of ML application of Sri S.A.Razak.

3. Aggrieved by the rejection orders, Sri S.A.Rajak has filed W.P.No.13336/94 in A.P.High Court and the Hon'ble Court has issued an Interim Order vide W.P.M.P.No.16289/94 dt.3-8-94 permitting the petitioner to continue the mining

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operation and transportation of Mineral pending disposal of the W.P. However, finally the Hon'ble Court have dismissed the W.P., on 10-4-2002 stating that the petition has become in fructuous in as much as the cause in the W.P. does not survive the adjudication. Again the applicant has filed Revision application in Form-N before the Government of India on 28-1-1993 – 28-12-2002. The Government of India have issued final orders under Section 30 of M.M.D.R.Act,1957 and Rule 55 of M.C.Rules,1960 and set-a-side the order of the Government and the case is remanded back to the State Government to consider the Renewal of Mining Lease application of the petitioner on merit and in accordance with the provisions of law vide Govt.of India Final Order No.4/2005,dt.18-1-2005.

4. The Director of Mines & Geology, Hyderabad vide reference 5th read above has stated that based on the final orders of the Govt.of India, he has instructed the Asst.Director of Mines & Geology, Kadapa to submit revised report after conducting Survey and Inspection, obtaining of difference of application fee, M.R.C.C., etc. Accordingly, after survey and inspection the Asst.Director of Mines & Geology, Kadapa has recommended for Grant of the 1st Renewal of Mining Lease in favour of Sri S.A.Razak for 20 years w.e.f. 25-7-1993. Further, the Zonal Director of Mines & Geology, Kadapa has also approved the Mining Plan.

5. Finally, the Director of Mines & Geology, Hyderabad has requested the Government to consider the application on merits for the grant of 1st Renewal of Mining Lease for Baryties over an extent of 1.51 ½ Acres in Sy.No.64/1 (P.No.8) of Mangampeta Village, Obulavaripalli Mandal, Kadapa District for a further period of 20 years w.e.f. 25-7-1993 in favour of Sri S.A.Rajak subject to satisfaction of all terms and conditions of MM(D&R)Act,1957 and M.C.Rules,1960 and latest amendments instruction issued by the Government from time to time.

6. After careful examination of the above proposals of the Director of Mines & Geology, Hyderabad, Government hereby grant the 1st Renewal of Mining Lease for Baryties over an extent of 1.51 ½ Acres in Sy.No.64/1 (P.No.8) of Mangampeta Village, Obulavaripalli Mandal, Kadapa District for a further period of 20 years w.e.f. 25-7-1993 infavour of Sri S.A.Rajak subject to satisfaction of all terms and conditions of MM(D&R)Act,1957 and M.C.Rules,1960 and latest amendments instruction issued by the Government from time to time and subject to submission of Consent for Establishment (CFE) from the APPCB as per S.O.1533, dt.14-09-2006.

7. The rates of Royalty, Dead rent, Surface rent, Water charges and Cess shall be collectable as follows:

I.ROYALTY:

BARYTES: Five and half per cent of sale price on ad valorem basis or as revised from time to time.

II.DEAD RENT:

(Rates of dead rent in rupees per hectare per annum) or as revised from time to time)

First two years of Lease	3 rd year onwards
200/-	800/-

III.SURFACE RENT, WATER CHARGES AND CESS: As fixed by the Government from time to time.

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8. The grantee should pay a deposit of Rs.10,000/- as prescribed under Rule 32 of the Mineral Concession Rules,1960 before the lease is actually executed.
9. The grantee should execute the lease deed within the time limit specified in Rule 31 of Mineral Concession Rule, 1960.
10. The terms and conditions referred to in para-3 of this order are subject to such further modifications, additions and alterations as may be ordered before the lease deed is executed.
11. The Director of Mines and Geology shall take necessary further action for the execution of the lease deed after satisfying himself that the grantee fulfils all the required provisions of the amended Act and Rules. As soon as the deed is executed, the date of such execution should be reported to the Government.

Note:- The grant is liable for cancellation, should it be found at a later date that it was grossly inequitable or was made under a mistake of fact or owing to misrepresentation or fraud or in excess of authority.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y.SRILAKSHMI,
SECRETARY TO GOVERNMENT.

To

Sri S.A.Razak,

S/o.Late S.A.Sattar,

4/690, Guntha Bazar, Kadapa (By RPAD).

The Director of Mines & Geology, Hyderabad (w.e.file)

Copy to:

The Zonal Joint Director of Mines & Geology, Kadapa.

The Assistant Director of Mines & Geology, Kadapa.

The District Collector, Kadapa.

The Secretary to Govt.of India, Ministry of Mines, New Delhi.

The Controller General, Indian Bureau of Mines, Nagpur.

The Director General, Mines Safety, Dhanbad, Jarkand.

The Regional Controller of Mines, Koti, Hyderabad.

SF//SCs.

**Copy of this order is available on Internet and can be accessed
at address “<http://www.ap.gov.in/goir>”.**

//FORWARDED BY ORDER//

SECTION OFFICER